

REMARKS

The application has been amended to place the application in condition for allowance at the time of the next Official Action.

Claims 1-21 are pending in the application. Independent claims 1, 13, 15 and 18 are amended.

Claims 1-18 were rejected under 35 USC §102(e) as being anticipated by SHABTAY et al. 7,093,027. That rejection is respectfully traversed.

Independent claims 1, 13, 15 and 18 are amended and recite a single data computing device arranged to operate in a data network according to the protection switching data communication principles. Support for this new language can be found at least on page 4, lines 18-20. Thus, the claims are directed to communications between the units within a single device. See also claim 14 with communication within a card.

Figure 8 of SHABTAY and the corresponding passages on column 18, lines 18-32 disclose: "A block diagram illustrating an example edge switch incorporating the fast connection protection mechanism of the present invention is shown in FIG. 8. The network device, generally referenced 150, comprises at its core a network **processor** 154, one or more user ports 152 and two or more network ports 160, a network interlace 172 for interlacing the edge switch to an NMS 174, a central processor 164, e-g., CPU and both volatile and non-volatile memory including RAM memory 170

for storing data and application program code, Flash memory 168 for storing boot and application code and FEPR0M 166 for storing configuration data. The CPU communicates to the network processor, memory peripherals and other support devices via a bus 162."

Column 18, lines 51-58 of SHABTAY further disclose: "The network processor includes a packet processing engine that comprises an ingress packet processor 156 and an egress packet processor 158." and "The egress packet processor is adapted to implement the protection mechanism of the present invention as described hereinabove."

From Figure 8 and the above-identified passages, one of ordinary skill in the art would understand that the device of SHABTAY has only one network processor. This network processor performs the protection switching mechanism according to SHABTAY.

SHABTAY fails to suggest a device having at least two configurable integrated circuits (e.g. two ASICS) that communicate with each other.

Applicant's position is further strengthened by the disclosure in column 5, lines 43-47 of SHABTAY, which provides: "The fast connection protection mechanism of the present invention has been implemented and embodied in a commercially available product, the A-2100 Optical Ethernet Edge Switch manufactured by Atrica Inc., Santa Clara, Calif."

One of ordinary skill in the art would readily recognize that this device, reproduced below, (and accordingly the device at issue in SHABTAY) contains only one unit (e.g. card). There is no communication within the device between two different units (e.g. between two different cards).

**Atrica A-2100**



In view of the above, it is apparent that SHABTAY does not disclose that which is recited and reconsideration and withdrawal of the rejection are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

Liam McDowell, Reg. No. 44,231  
745 South 23<sup>rd</sup> Street  
Arlington, VA 22202  
Telephone (703) 521-2297  
Telefax (703) 685-0573  
(703) 979-4709

LM/lk